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SIMMONS BEDDING COMPANY
and Defendant and Counterclaimant DREAMWELL, LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ZINUS, INC. a California Corporation,

Plaintiff,

v.

SIMMONS BEDDING COMPANY, a
Delaware corporation, and DREAMWELL,
LTD., a limited liability company of
Nevada,

Defendants.

Case No. 07-CV-03012-PVT

**DECLARATION OF KENNETH B. WILSON
IN OPPOSITION TO PLAINTIFF ZINUS
INC.'S MOTION FOR SUMMARY
ADJUDICATION OF NON-INFRINGEMENT**

Date: December 11, 2007
Time: 10:00 a.m.
Before: The Honorable Patricia V. Trumbull
Location: Courtroom 5

AND RELATED COUNTERCLAIMS

I, Kenneth B. Wilson, declare:

1. I am an attorney with the law firm of Perkins Coie LLP, counsel of record for defendant and counterclaimant Dreamwell, Ltd. ("Dreamwell"). I have personal knowledge of the facts set forth in this Declaration and can testify competently to those facts.

2. Attached to this Declaration as Exhibit 1 is a true and correct copy of U.S. Patent No. RE 36,142 (the "142 Patent").

3. Attached to this Declaration as Exhibit 2 is a true and correct copy of the transcript of the deposition of Scott Reeves, which was taken on November 15, 2007.

4. Attached to this Declaration as Exhibit 3 is a true and correct copy of an e-mail bearing Bates No. P 002000, which was produced by plaintiff and counterclaim defendant Zinus, Inc. (“Zinus”) during the course of discovery in this action.

5. Attached to this Declaration as Exhibit 4 is a true and correct copy of an e-mail bearing Bates No. P 002020, which was produced by Zinus during the course of discovery in this action.

6. Attached to this Declaration as Exhibit 5 is a true and correct copy of an e-mail bearing Bates No. P 002021-22, which was produced by Zinus during the course of discovery in this action.

7. Attached to this Declaration as Exhibit 6 is a true and correct copy of a printout of the definition of the term “insert” from the Web version of the American Heritage Dictionary.

8. Attached to this Declaration as Exhibit 7 is a true and correct copy of a printout of the definition of the term “contain” from the Web version of the American Heritage Dictionary.

9. Attached to this Declaration as Exhibit 8 is a true and correct copy of a printout of the definition of the term “sleeve” from the Web version of the American Heritage Dictionary.

10. Attached to this Declaration as Exhibit 9 is a true and correct copy of a printout of the definition of the term “convolution” from dictionary.com.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Executed this 20th day of November, 2007 at San Francisco, California.

/s/
Kenneth B. Wilson